

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

ARIEL LEGASSA,

Defendant.

No. 22-cr-10038-IT

**GOVERNMENT'S OPPOSITION TO DEFENDANT'S
MOTION TO CONTINUE TRIAL**

The government respectfully opposes in part the defendant Ariel Legassa's motion to continue the April 3, 2023 trial date [ECF No. 68]. While the government assents to a request for a continuance, it writes both to clarify inaccuracies in the defendant's motion and to request that the Court set a trial date for any of the weeks that it is available between August 1, 2023 and November 15, 2023. The government anticipates a one-week trial.

Earlier this week, the parties discussed a continuance. The government agreed that it would assent to a continuance, due to both the large volume of documents that New England Sports Network ("NESN") intends to provide to both the defendant and the government, as well as defense counsel's upcoming trial schedule. The government volunteered to reach out to the Court to inquire about possible trial dates later this year, and subsequently did so. The parties also discussed the government's recent motion to stay the civil litigation between the defendant and NESN and whether the defendant would assent to the stay. *See NESN v. Alley Interactive LLC (CT) et al.*, 22-CV-10024-ADB, ECF Nos. 78 & 80. Defense counsel agreed to discuss these issues with his client and follow-up with the government so that the parties could potentially jointly propose a trial date to the Court. Instead of conferring with the government as discussed, and

despite the government's attempt to follow-up with defense counsel, the defendant *sua sponte* filed a motion to continue the criminal trial until October. The defendant also filed an opposition to the government's motion to stay the civil litigation.

To be clear, the government agrees to a continuance in the criminal case. It did not affirmatively agree to continue the trial until October 16, 2023. Defense counsel's position that he is too busy to proceed with trial in the criminal case until October—but not too busy to proceed with depositions of government witnesses in the civil case in the interim—appears to be strategic. The government respectfully requests that the Court set a trial date between August 1, 2023 and November 15, 2023.

Respectfully submitted,

RACHAEL S. ROLLINS
United States Attorney

By: /s/ Benjamin A. Saltzman
Benjamin A. Saltzman
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants .

/s/ Benjamin A. Saltzman
Benjamin A. Saltzman
Assistant United States Attorney

Date: February 17, 2023